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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/895,954	06/29/2001	Lyle S. Corbin	206872	8107

22971 7590 08/05/2005

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EXAMINER	
MARTIN, NICHOLAS A	
ART UNIT	**PAPER NUMBER**
2154	

DATE MAILED: 08/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/895,954	CORBIN ET AL.	
	Examiner	Art Unit	
	Nicholas Martin	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 May 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-8,12-24,42,43 and 46-64* is/are pending in the application.

4a) Of the above claim(s) *2, 9-11, 25-41 and 44-45* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-8,12-24,42,43 and 46-64* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *09 January 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *1/12/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1. Claims 1, 3-8, 12-24, 42-43 and 46-64 are presented for examination. Claims 2, 9-11 and 44-45 have been cancelled. Claims 25-41 have been withdrawn.

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Response to Arguments

3. Applicants' arguments filed on 05/20/2005 have been fully considered but they are not persuasive.

4. As per remarks, Applicants' argued that (1) Ginter fails to disclose or suggest identifying nodes in a network, each of the nodes executing a distributed thread of the process; polling each identified node for status information associated with the thread executing by the node, the status information generated by a script associated with the process; and receiving the status information from each of the nodes.

5. As to point (1), Ginter teaches identifying nodes in a network, each of the nodes executing a distributed thread of the process (Paragraph [0180]); polling each identified node for status information associated with the thread executing by the node (Paragraphs [0896] "...kernel/dispatcher may poll each of the sections/circuits within SPU...", [0905-0907], [0947-0948] "...support secure communicates between SPE and an external node or device...", and [1677]), the status information generated by a script

associated with the process (Paragraphs [0149], [0160], [1443]), and receiving the status information from each of the nodes (Paragraphs [0896], [0905] and [1276]).

6. As per remarks, Applicants' argued that (2) Ginter does not describe polling multiple nodes in a network for status information related to a multi-threaded process.

7. As to point (2), Ginter teaches polling multiple nodes in a network for status information related to a multi-threaded process (Paragraphs [0896] "...polling mode, kernel/dispatcher may poll each of the sections/circuits...", [0947-0948] "...Authentication Manager/Service Communications Manager 564 supports calls for user password validation and "ticket" generation and validation. It may also support secure communications between SPE 503 and an external node or device (e.g., a VDE administrator or distributor)...").

8. As per remarks, Applicants' argued that (3) Ginter fails to disclose or suggest the process management system, the remote nodes, and their interactions.

9. As to point (3), Ginter teaches the process management system (Paragraphs [0181] and [0597])., the remote nodes (Paragraphs [0146], [0199] and [0947-0948]), and their interactions(Paragraphs [0149], [0160], [0896], [0905], [1276] and [1443],).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

10. Claims 1-24 and 42-63 are rejected under 35 U.S.C. 102(e) as being anticipated by Ginter et al. (hereinafter Ginter), US 2004/0054630.

11. As per claim 1, Ginter teaches a method for accessing status information related to a process that is executable by one or more nodes from over a network, the method comprising:

receiving a request from a client for status information related to the process (Paragraph [00205], [0675]);

identifying nodes in a network , each of the nodes executing a distributed thread of the process (Paragraph [0180], [0896], [0905-0907], [0947-0948]);

polling each identified node for status information associate with the thread executing by the node, the status information generated by a script associated with the process (Paragraphs [0896], [0905-0907], [0947-0948]);

receiving the status information from each of the nodes (Paragraphs [0081], 0896], [0905] and [1275 -1276]).

12. As per claim 3, Ginter teaches the method of claim 1, further comprising:

invoking one or more script engines to execute at least one script code that performs at least one action of the process, handling multiple script threads during the execution of the process (Paragraphs [0181] and [0597]).

13. As per claim 4, Ginter teaches the method of claim 3, wherein the one or more script engines are maintained by a process management system that executes on the nodes (Paragraphs [0149], [0160], [1443]).

14. As per claim 5, Ginter teaches the method of claim 4, wherein the one or more nodes include a primary node (Paragraph [0271]).

15. As per claim 6, Ginter teaches the method of claim 1, further comprising making the data structure available to any node in the network capable of accessing a process management system in a primary node (Paragraph [0271], [0732-0733], [1361] and [2105).).

16. As per claim 7, Ginter teaches the method of claim 6, wherein the step of polling is performed by the process management system residing on the primary node over an established connection with the identified nodes (Paragraphs [0896], [0905], [0907] and [0947]).

17. As per claim 8, Ginter teaches the method of claim 7, wherein the identified nodes include the primary node (Paragraphs [0271], [0613] and [0896]).

18. As per claim 12, Ginter teaches the method of claim 1, wherein the step of storing is performed by the process management system executing on a primary node (Paragraph [1677]).

19. As per claim 13, Ginter teaches the method of claim 12, wherein the step of storing further includes:

placing the status information relative to the executable process into a private data structure by the process management system on the primary node (Paragraphs [1456] and [1677]), wherein the private data structure is accessible to only the script threads that are spawned during the execution of the process (Paragraphs [1035-1036]).

20. As per claim 14, Ginter teaches the method of claim 12, wherein the step of storing further includes:

placing the status information relative to the executable process into a status value data structure that is accessible to any node capable of accessing the process management system executing on the primary node (Paragraphs [1035-1036]).

21. As per claim 15, Ginter teaches the method of claim 14, wherein the status value data structure comprises data for providing an indication of an event that occurs during the execution of the process (Paragraphs [1035-1037]).

22. As per claim 16, Ginter teaches the method of claim 1, further comprising:

establishing a connection between a process management system executing on at least one of the nodes and anther process management system residing on the

primary node, wherein the connection is established by a script code in execution by the a script engines associated with the at least one node (Paragraph [1443]).

23. As per claim 17, Ginter teaches the method of claim 1, further comprising:

establishing a connection between other client nodes and a process management system residing on a primary node, wherein the connection is established, from a user interface executing on other client nodes (Paragraph [1443]).; and

accessing the process management system from over the established connection by the user interface executing on other client nodes (Paragraph [1437]).

24. As per claim 18, Ginter teaches the method of claim 17, wherein the step of establishing includes accepting a command as input by the user interface to establish a connection with the process management system executing on the primary node (Paragraphs [0437] and [1676]).

25. As per claim 19, Ginter teaches the method of claim 17, wherein the step of accessing includes accepting a command as input by the user interface to invoke the action of the executable process by the process management system from over the established connection (Paragraphs [0437], [1676] and [2031]).

26. As per claim 20, Ginter teaches the method of claim 17, wherein the step of accessing includes accepting a command as input by the user interface to poll the process management system for status information from over the established connection (Paragraphs [0437], [0896], [0905], [0907], [0915], [1676] and [2031]).

27. As per claim 21, Ginter teaches the method of claim 17, wherein the user interface receives messages from the process management system over the

established connection (Paragraphs [0437], [0896], [0905], [0907], [0915], [1676] and [2031]).

28. As per claim 22, Ginter teaches the method of claim 21, wherein the messages contain information that is descriptive of the primary node (Paragraphs [0183], [0271], [0613] and [0896]).

29. As per claim 23, Ginter teaches the method of claim 21, wherein the messages contain information that is descriptive of a particular event that occurs during the execution of the process (Paragraphs [0613]).

30. As per claim 24, Ginter teaches the method of claim 21, wherein the messages contain a data structure that is generated as a result of the execution of the script code by the one or more script engines to indicate the status of the executable process (Paragraph [1223]).

31. Claim 42 do not teach or define any new limitations above claims 1 and 3 and therefore is rejected for similar reasons.

32. As per claim 43, Ginter teaches the system of claim 42, further comprising one or more client node each configured with a user-interface (Paragraph [0061], [0097-0098]), the one or more user interfaces configured to establish a connection over the network with the process management system executing on the primary node, the one ore more user interfaces also configured to request the status information from the process management system and to process the status information when the information is received (Paragraphs [00205], [0675], [1705], [2020] and [2025]).

33. As per claim 46, Ginter teaches the system of claim 42, wherein the one or more user interfaces accept as input commands to establish a connection with the process management system executing on the primary node (Paragraphs [1705], [2020], [2022] and [2025]).

34. As per claim 47, Ginter teaches the system of claim 42, wherein the one or more user interfaces accept as input, commands to invoke the action of the executable process by the process management system, and sends, requests to invoke the action of the executable process to the process management system from over the established connection (Paragraphs [1705], [2020], [2022] and [2025]).

35. As per claim 48, Ginter teaches the system of claim 42, herein the one or more user interfaces accept as input commands to poll the process management system for status information, and sends requests to poll the process management system for status information from over the established connection (Paragraphs [0896], [0905], [0907], [1705], [2020], [2022] and [2025]).

36. As per claim 49, Ginter teaches the system of claim 42, wherein the one or more user interfaces receive messages from the process management system over the established connection in response to the polling (Paragraphs [0896], [0905], [0907], [1705], [2020], [2022] and [2025]).

37. As per claim 50, Ginter teaches the system of claim 49, wherein the messages contain information that is descriptive of the primary node (Paragraphs [0183], [0271], [0613] and [0896]).

38. As per claim 51, Ginter teaches the system of claim 49, wherein the messages contain information that is descriptive of a particular event that occurs during the execution of the process (Paragraph [0613]).

39. As per claim 52, Ginter teaches the system of claim 49, wherein the messages contain a data structure that is generated as a result of the execution of the script code by the one or more script engines to indicate the status of the executable process (Paragraphs [1223]).

40. As per claim 53, Ginter teaches the system of claim 42, wherein the process management system accepts connection requests from one or more user interfaces operating on one or more nodes associated with the process management system over an established connection (Paragraphs [1705], [2020], [2022] and [2025]).

41. As per claim 54, Ginter teaches the system of claim 53, wherein the one or more nodes include the primary node (Paragraphs [0098], [0271], [1705], [2020], [2022] and [2025]).

42. As per claim 55, Ginter teaches the system of claim 42, wherein the process management system receives requests to invoke, the action of the executable process from the one or more nodes connected to the process management system (Paragraphs [0437], [1676], [1705], [2020], [2022], [2025] and [2031]).

43. As per claim 56, Ginter teaches the system of claim 42, wherein the process management system polls the one or more nodes connected to the process management system to obtain status information related to the executable process (Paragraphs [0896], [0905], [0907], [1705], [2020], [2022] and [2025]).

44. As per claim 57, Ginter teaches the system of claim 42, wherein the process management system stores the information into a public data structure that is accessible to the one or more nodes capable of establishing a connection with the process management system (Paragraphs [1035-1036]).

45. As per claim 58, Ginter teaches the system of claim 42, wherein the process management system stores the status information relative to the process into a private data structure that is accessible to only script threads in operation during process execution (Paragraphs [1035-1036], [1456] and [1677]).

46. As per claim 59, Ginter teaches the system of claim 42, wherein the process management system stores the status information relative to the executable process into a status value data structure that is accessible to the one or more nodes having access to the status information (Paragraphs [1035-1036]).

47. As per claim 60, Ginter teaches the system of claim 59, wherein the status value data structure contains data for providing an indication of a particular event that occurs during the execution of the process (Paragraphs [1035-1037]).

48. As per claim 61, Ginter teaches the system of claim 42, wherein the process management system receives requests for status information relative to the executable process from the one or more nodes connected to the process management system (Paragraphs [0437], [1676-1677], [1705], [2020], [2022], [2025] and [2031]).

49. As per claim 62, Ginter teaches the system of claim 42, wherein the process management system sends the public data structure to the one or more nodes in response to the request (Paragraphs [1035-1036]).

50. As per claim 63, Ginter teaches the system of claim 42, wherein the process management system sends the status value data structure to the one or more nodes in response to the request (Paragraphs [1035-1036]).

51. Claim 64 do not teach or define any new limitations above claims 1, 3 and 42 and therefore is rejected for similar reasons.

Response to Amendment

52. Examiner acknowledges amendments to the specification, which now appears to be in conformance with MPEP § 608.01(g). Objection has been withdrawn.

53. Examiner acknowledges amendment to claims 15 and 50-52 for correction of informalities. Objection has been withdrawn.

54. Examiner acknowledges amendments to claims 2 and 15 pertaining to 35 U.S.C. § 112, second paragraph. Objection has been withdrawn.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Martin whose telephone number is (571) 272-3970. The examiner can normally be reached on Monday - Friday 8:30 a.m. - 5:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3970.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nicholas Martin
July 25, 2005

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